

1 HONORABLE RICARDO S. MARTINEZ  
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UNITED STATES DISTRICT COURT  
WESTERN DISTRICT OF WASHINGTON AT SEATTLE

EDMONDS GREENERY HOMEOWNERS  
ASSOCIATION, a Washington Non-Profit  
Corporation,

Plaintiff,

v.

ALLSTATE INSURANCE COMPANY, an  
Illinois Corporation; STATE FARM FIRE AND  
CASUALTY COMPANY, an Illinois  
Corporation; and DOE INSURANCE  
COMPANIES 1-10,

Defendants.

NO. 2:21-cv-00103-RSM

STIPULATED MOTION AND ORDER TO  
CONTINUE DEADLINE FOR DISCLOSURE  
OF REPORTS FROM REBUTTAL  
WITNESSES, MOTIONS, AND DISCOVER  
CUTOFF

NOTE ON MOTION CALENDAR:  
February 16, 2022

**I. STIPULATED MOTION**

Comes now, Plaintiff Edmonds Greenery Homeowners Association (“Association”) and Defendants Allstate Insurance Company and State Farm Fire and Casualty Company (collectively “Defendants”), by and through their respective counsel, and stipulate to this motion for a continuance of the deadline for disclosure of reports from rebuttal witnesses, the deadline for discovery related motions, and the discovery cutoff deadline.

Counsel for the Association and Defendants have conferred and propose an extension of the following deadline:

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MOTIONS, AND DISCOVER CUTOFF (NO. 2:21-  
cv-00103-RSM) - 1

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	Current Deadline	Proposed Deadline
1 Deadline for Disclosure of Reports from Rebuttal Witnesses	2 02/25/2022	3 03/15/2022
2 Deadline for Discovery Related Motions	3 02/25/2022	4 03/11/2022
4 Discovery Cutoff	5 03/18/2022	6 04/11/2022

## II. GOOD CAUSE SHOWN

Pursuant to LCR 16(b)(6), a scheduling order may be modified “only for good cause and with the judge’s consent.” Good cause exists to extend deadlines as explained below. First the Association has filed a Motion to Consolidate which Defendants oppose. The parties recognize that if the Motion is granted it will impact discovery deadlines and that depositions will be stayed for a period of 2 months so that Eagle West Insurance Company can participate in depositions. The Association and Defendants are seeking in good faith a ruling on the Motion before depositions take place and require a short extension of the above listed deadlines so that depositions can promptly proceed after the Court issues a ruling in the event the Court denies the Association’s Motion. In addition, Defendants have filed a joint Motion to extend the deadline for disclosure of reports from rebuttal experts because the Association’s expert contracted Covid-19. The practical effect of extending the latter deadline is that witnesses may be disclosed close to the end of the discovery cutoff. The extension of deadlines will assist the parties in promptly arranging depositions for these witnesses and otherwise complying with the current case schedule.

Further, for purposes of judicial economy, the parties propose that the deadlines for disclosure of reports from rebuttal witnesses, the deadline for discovery related motions, and the discovery cutoff be continued for two weeks to avoid unnecessary motion work on topics that may be resolved through pending depositions and permit all parties to complete necessary discovery. No other deadlines or events in this matter are to be altered at this time. The parties respectfully request that the Court extend the currently scheduled deadlines as set forth above. A proposed order is included herewith.

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1 DATED this 16<sup>th</sup> day of February, 2022.

2 **STEIN, SUDWEEKS & STEIN, PLLC**

3 /s/ Daniel Stein

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***Attorneys for Plaintiff***

16 DATED this 16<sup>th</sup> day of February, 2022.

17 **WILSON SMITH COCHRAN DICKERSON**

18 /s/ Richard Gawlowski

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26 ***Attorney for Defendant***  
***Allstate Insurance Company***

27 DATED this 16<sup>th</sup> day of February, 2022.

28 **REED MCCLURE**

29 /s/ Michael Rogers

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4 *Casualty Company*

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## ORDER

Based on the above Stipulated Motion, IT IS SO ORDERED that the deadline for disclosure of the parties' reports from rebuttal witnesses, the deadline for discovery related motions, and the discovery cutoff deadline be extended as follows:

	Current Deadline	Proposed Deadline
Deadline for Disclosure of Reports from Rebuttal Witnesses	02/25/2022	03/15/2022
Deadline for Discovery Related Motions	02/25/2022	03/11/2022
Discovery Cutoff	03/18/2022	04/11/2022

No other deadlines or events are altered.

**DATED THIS** 22<sup>nd</sup> day of February, 2022.

Ricardo S. Martinez  
RICARDO S. MARTINEZ  
CHIEF UNITED STATES DISTRICT JUDGE

Presented By:

STEIN, SUDWEEKS & STEIN, PLLC

*/s/ Daniel Stein*

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